10-P

Previous references.
S.R. 93 of 03-04. Sl. 1-2. B
S.R. 95 of 03-04. Sl. 1-2. B.

Later references.

1903.
(Sep. Rev.)

File No. 96 of 03-04
Serial Nos. 1 — 2

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—2.

Part B. for

SUBJECT.

Refund of the full value of a stamp paper, on which an application for renewal of license under the Arms Act, was written, but which was refused by the Dt. Magistrate, as time limit, and deduction of discount do not apply to such cases.

Table of Contents.

Sl. 1. No. 271 dy. 25-11-03. From D.C. Kadur
Requesting the favor of instructions as to whether in sanctioning the Refund, of the value of the Stamp paper on which the application for a license under the game and Fish Preservation Regulation, has been applied the provisions of Sec. 50 of the Mysore Stamp Regulation II of 1900, and those of Sec. 53. (c) should be enforced.

Sl. 2. No. Fl. 2176-84. dy. 15-2-04. To D.C. Kadur, D.C.'s of other Dts. & the Consul
Stating that the provisions of Sec. 50 & 53(c) of the Stamp Regulation, do not apply, in as much as the stamp is spoilt not by a private person but by the refusal of the Dt. Magist^e, to grant the license applied for, and that refund of the full value of the Stamp may be made irrespective of the said provisions.

G. R. S. 58

Note

(Note ~~continued~~)

Order as above was communicated to the Dist: Magte (vide G.O. no: 5-5-5-63 dt 24-8-03). ~~Dy Comr~~

The Dist Magte now reports that, in a case where he had sanctioned the refund of the value of a Stamp paper, the Comptroller took objection to the procedure on the ground that more than 6 months had elapsed from the date of purchase of the Stamp, and solicits instructions as to whether the provisions of Sec 50 of the Impose Stamp Regn, as to time limit, and those of Sec 5-3(c) ~~provides~~ regarding the deduction of one anna in the rupee, apply to refunds under the Arms Rules and the Games Regulation. The Dist Magte gives it as his opinion that the refund should not be subject to any of the said provisions as the Stamp is not spoilt or misused by a private person, but, in the case under reference, it is rendered useless by the refusal of the Dist Magte to grant the license applied for.

On a similar reference from the Dy Comr, Bangalore Dist, in a case of refund

under the Arms Rules, a relaxation of the provisions of the Stamp Regn. ~~has~~ as to time limit and deduction on account of discount has been made (vide Govt. order no: H 626-7 & 28-8-03).

Submitted for orders with a draft accg to Govt view.

DN
25/12/03

31/12/03

8/1

The Secretary

The Dewan through the 2nd Councillor

I agree & a fee has been paid & it has to be refunded. The Stamp Regulation does not apply.

9-1-04

9/1/04

11/1/04

9/1/04

Submitted with draft.

DN
7/1/04

7/1/04

8/1/04

15739
10.1.04

621
8-1-04

MYSORE GOVERNMENT
7C 824
25 NOV 1903
GENERAL AND REVENUE SECTION

28-11-3.

1903

From M. Narasimha Rao Esquire
Deputy Commissioner
Kadur District

To The Secretary to Government
of mysore.
General and Revenue
Departments.

Dated 20th
Despatched 24th November 1903
Received
General No. 271
No.
Enclosure No.

Serial No. 1.

Requesting the favour of instructions as to whether in sanctioning the refund of the value of the Stamp paper on which the application for a license under the Game and Fish Preservation Regulation had been applied, the provisions of Sec 50 of the Mysore Stamp Regulation II of 1900, and those of Sec 53 (C) should be enforced.

A. Report

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File pertg R/Vasu.

MGCPB—50 reams—6-12-02.

Please put up Bangalore Dy Comrs letter No: 429 11-7-03 (7C83) regarding the refund of the value of a spoiled Stamp paper, and the order thereon.

A similar question appears to have been put by the Dy Comrs and answered by the Govt.

RV
2/12/03

Reg pmtnp
R/2/24/12/03
24/12/03

Submitted with the continued note.

RV
28/12/03

2

Chitradurga, 20th November 1903.

From

M. Narain Rao, Esq:

District Magistrate,

Kadur District

To

V. V. Ranjundayya Esq M. A, M. L

Secretary to the Govt. of Mysore,

Genl. & Rev: Secretariat.

Sir,

With reference to Government Proceedings No. Fl. 555-63 of the 24th August 1903, ordering that Rule 12 of the Arms Rules which directs that, when a licence under the said Rules is refused the value of the Stamp paper on which the application for such a licence is written will be refunded to the applicant, applies to the case of a license under the Opium and Fish Preservation Regulation Similarly refused, I have the honor to request the favor of instructions as to whether,

in sanctioning the refund of the value of the stamp paper under the Cess Rule or the Games Regulation, the provisions of Sec. 50 of the Mysore Stamp Regulation II of 1900 as to the limit of time within which the refund can be granted and those of Section 53 (c) providing for a deduction of one anna in the Rupee, should be enforced. These provisions apply to stamp papers spoilt or mistaken by a private person but in the case under reference, the paper is rendered useless by the refusal of the District Magistrate to grant the license applied for. Hence, it seems to me that the refund of its value should not be subject to any deduction whatsoever, and that it should be made without reference to the date of the purchase or production of the paper.

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In a case in which I had sanctioned the refund of the value of a stamp paper owing to the refusal of the application for a license under the Games Regulation, the Comptroller has placed the refund under objection on the ground that, owing to the lapse of more than six months from the date of the purchase of the paper, the sanction of Government was required to the refund of its value. Hence this reference.

I have the honor to be,

Sir,

Your most obd. Servant,

M. Maiani Rao

District Magistrate

Kaduna District

Read Serial No. 2.

Govt. Pro: no: H 555-63 d 24.8.03 ordering ~~the~~ the refund to one Sid-Rama of the Kadur Taluk of Rs: 5 being the value ~~Rs 5/-~~, of a Stamp paper on which an application for the grant to him of a license under the Game and fish preservation Regulation had been engrossed, the grant of the license having been refused by the District Magistrate ~~of Kadur~~.

A.
9-1-04

2. Letter no: 271 d 20.11.03 from the District Magte. of Kadur soliciting instructions as to whether the provisions of Sec: 50 of the Mysore Stamp Regn. as to time limit and those of Sec 5.3(c) regarding

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the deduction of one anna in the rupee on account of discount apply to refunds under the Arms Rules and the Games Regn.

Order thereon.

The provision of Secs. 50 and 53(c) of the Mysore Stamp Regn. do not apply in as much as the stamp is spoilt, not by a private person, but by the refusal of the District Magle. to grant the license applied for, and refund ~~may~~ be made[1] irrespective of the said provisions.

[1] the full value of the Stamp tendered under may therefore

Secretary
7/1/04

10.II.04

Ordered to be printed and R.C. sent accordingly
12/2/04
24/2/04

The District Magle., Kadur.
The District magistrates of other districts.
The Comptroller of H. H. Govt.